

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY

June 10, 1993

RE: FINAL DESIGNATION OF REDEVELOPER OF AREA "E" OF PARCEL 2-1E/1F IN THE WEST END LAND ASSEMBLY AND REDEVELOPMENT PROJECT AREA (LOWELL SQUARE)

WHEREAS, the Boston Redevelopment Authority, (hereinafter referred to as the "Authority"), has entered into a contract for loan and capital grant with the Federal Government under Title I of the Housing Act of 1949, as amended, which contract provides for financial assistance in the hereinafter identified Project; and

WHEREAS, the Urban Renewal Plan for the West End Land Assembly Area, (hereinafter referred to as the "Project Area"), has been duly reviewed and approved in full compliance with local, State and Federal law; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with the Federal financial assistance under said Title I, including those prohibiting discrimination because of race, color, sex, religion, or national original; and

WHEREAS, Lowell Square Associates, a development team comprised of The Planning Office of Urban Affairs of the Archdiocese of Boston and Keen Development Corporation in conjunction with the Old West End Community Development Corporation, has expressed an interest in and has submitted a proposal for Area "E" of Parcel 2-1E/1F in the West End Land Assembly Area; and

WHEREAS, the Authority is cognizant of Chapter 30, Sections 61 through 62H of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment:

NOW THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That Lowell Square Associates, and hereby is finally designated as Redeveloper of Area "E" of Parcel 2-1E/1F in the West End Land Assembly Area subject to:
 - a. Publication of all public disclosure and issuance of approvals required by the Massachusetts General Laws and Title I of the Housing Acts of 1949, as amended; and
 - b. Execution of a partnership or participation agreement with the Old West End Community Development Corporation; and the provision of two years of technical assistance to the Old West End Community Development Corporation; and
 - c. A joint venture or partnership agreement satisfactory to the Authority; and

- d. A financing plan satisfactory to the Authority; and
 - e. An Affirmative Fair Housing and Marketing Plan satisfactory to the Boston Fair Housing Commission; and
 - f. A Transportation Access Plan satisfactory to the Boston Transportation Department.
2. That the Land Disposition Agreement and Deed conveying Area "E" of Parcel 2-1E/1F will be subject to submission in a form acceptable to the Authority within 360 days of this Final Designation the following materials:
- a. Evidence of the availability of necessary equity funds, as needed; and
 - b. Evidence of firm financial commitments from banks or other lending institutions; and
 - c. Final Working Drawings and Specifications; and
 - d. Proposed development and rental schedule; and
 - e. That the proposed development will not result in significant damage to the environment and further, that all practicable feasible means and measures have been taken to avoid or minimize damage to the environment; and
3. That it is hereby determined that Lowell Square Associates possesses the qualifications to develop land in accordance with the Urban Renewal Plan and the Project Area.
4. That disposal of said parcel based on an appraised value should yield a minimum of \$1,000,000; these monies would be payable to the Authority in the form of a subordinated loan to expedite the redevelopment of this parcel.
5. That the Final Plans submitted by Lowell Square Associates must conform in all respects to the Urban Renewal Plan for the Project Area and that said Final Plans be approved by the BRA.
6. That the Secretary is hereby authorized and directed to publish notice of the proposed disposal transaction in accordance with Section 105(E) of the Housing Act of 1949, as amended, including information with respect to the "Redeveloper's Statement for Public Disclosure: (Federal Form H-6004).
7. Upon satisfactory submission to the Authority of the terms and conditions of this resolution, the project shall be presented to the BRA Board of Directors for conveyance and authorization.

EXHIBIT A



MEMORANDUM

JUNE 10, 1993

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PAUL BARRETT, DIRECTOR

FROM: THOMAS O'MALLEY, ASSISTANT DIRECTOR FOR
NEIGHBORHOOD HOUSING AND DEVELOPMENT

SUBJECT: LOWELL SQUARE FINAL DESIGNATION

EXECUTIVE

SUMMARY: This memorandum requests final designation of Lowell Square Associates as redeveloper of Lowell Square, also known as Area "E" of Parcel 2-1E/1F in the West End Land Assembly and Redevelopment Project Area.

OVERVIEW

This memorandum requests that the Boston Redevelopment Authority (BRA) grant final designation to Lowell Square Associates, a development team comprised of The Planning Office of Urban Affairs of the Archdiocese of Boston and Keen Development Corporation in conjunction with the Old West End Community Development Corporation, as redeveloper of re-use Area "E" of Parcel 2-1E/1F in the West End Land Assembly Area.

SITE DESCRIPTION

Area "E" of Parcel 2-1E/1F of the West End Land Assembly and Urban Renewal Project Area, known as Lowell Square, is an approximately 69,400 square foot vacant parcel owned by the BRA. It is located at the intersection of Causeway Street, Staniford Street, and Lomasney Way. A site location map is attached as Exhibit A. The Lowell Square parcel is the only undeveloped parcel remaining in the West End Urban renewal area.

DEVELOPER SELECTION

In 1985, Charles River Park, Inc. (CRP) challenged the BRA's right to redevelop Lowell Square. While this suit proceeded, the BRA advertised a Request for Proposals (RFP) on May 18, 1986 for the redevelopment of Lowell Square. Five development proposals were submitted to the BRA on October 16, 1986. A trial court judge decided on the 1985 legal challenge on CRP in 1989. The BRA appealed the trial court's decision, and in 1990, the Appeals Court reversed the lower court's opinion, and entered a judgment for the BRA.

On March 14, 1991, the BRA granted tentative designation to the development team of the Planning Office for Urban Affairs, Inc. and Keen Development Corporation in

conjunction with the Old West End Community Development Corporation. This action allowed the developer to proceed towards the construction of 270 limited equity units, of which at least 50 percent of the units are affordable to low and moderate income residents, a 400 space parking garage, office space and ground floor retail space, a child care center and play space, and the West End Archives. Also, one of the important public benefits of this proposal was the relocation of eligible former West Enders back to the West End.

DEVELOPMENT PROCESS

To proceed with this project, the developer has created a legal entity called Lowell Square Associates, comprised of the Planning Office of Urban Affairs, Inc. and Keen Development in conjunction with the Old West End Community Development Corporation, that will hold title to the project.

Since the tentative designation the developer has revised the original development concept to meet community concerns for lower density and open space which have arisen from several meetings, in particular the general community meeting of June 18, 1992 held at the Shriners' Burns Institute.

The developer has initiated the Article 31 Development Review process and has submitted a Draft Project Impact Report (DPIR) for BRA review. The environmental review of this project will be consistent with the Certificate of the Secretary of Environmental Affairs pursuant to the Massachusetts' Environmental Protection Act (MEPA) guidelines.

The DPIR development concept is for 189 cooperative units, a 110 space parking garage, ground floor retail space and the West End Visitors Center (which will house the archives). Approximately two-thirds of the units will be affordable to low- and moderate-income households. The DPIR proposal is substantially smaller than the original development concept proposed in 1986. For example, the building height was downsized from a twenty story stepped tower to a curvilinear building with a six story wing and a nine story wing; and, the massing was reduced from 447,500 gross square feet to 210,000 gross square feet.

The developer has met with the City's Landmarks Commission with regard to the historical significance of the Bulfinch Triangle and the proposed project. In addition, the developer has met with the Boston Civic Design Commission (BCDC), and will submit the Lowell Square schematic drawings to BCDC's Design Sub-committee on June 15, 1993.

DEVELOPMENT FINANCING

The total development cost is approximately \$28 million. Lowell Square Associates has been awarded a \$2 million Community Development Action Grant (CDAG) from the state, \$340,000 from the Neighborhood Housing Trust (NHT), and \$50,000 from the Local

Initiatives Support Corporation (LISC). Fleet Bank and the Bank of Boston are interested in providing the \$12 million construction loan for the project. The AFL-CIO Housing Trust is interested in providing \$12 million in permanent financing. The developer is pursuing \$750,000 from the state's Public Works Economic Development (PWED) program and the National Endowment of the Humanities (NEH) for infrastructure improvements and the Old West End Archives.

In addition, the developer seeks \$2 million from the state, and the conditional commitment from the City of Boston for \$2 million of HOME funds and \$1.75 million of NHT funds to proceed toward the construction of this development in the West End.

RECCOMENDATION

It is therefore recommended that Lowell Square Associates be granted final designation as redeveloper of Area "E" of Parcel 2-1E/1F in the West End Land Assembly Project Area (Lowell Square). The final designation will allow the developer to access up to \$500,000 for predevelopment expenses from the state's \$2 million CDAG award. This action will therefore enable the developer to proceed expeditiously toward a construction start for this project in the Fall of 1993.

Following the submission of additional development and financing plans, the BRA staff intends to recommend the Authority to advertise a public hearing for a Planned Development Area (PDA) designation for the Lowell Square site.

An appropriate vote follows:

Voted: That the BRA hereby adopts the resolution entitled "Resolution of the Boston Redevelopment Authority, June 10, 1993, RE: Final Designation of Redeveloper of Area "E" of Parcel 2-1E/1F in the West End Land Assembly Project Area (Lowell Square)."